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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/822,778 03/21/97 INDECK

R 976149

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LM51/1228

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EXAMINER

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KLIMOWICZ, W

ART UNIT

PAPER NUMBER

2754

DATE MAILED:

12/28/99

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Notice of Allowability

Application No.

08/822,778

Examiner

William J. Klimowicz

Applicant(s)

INDECK, RONALD S.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

1. ☒ This communication is responsive to the interview held December 23, 1999.
2. ☒ The allowed claim(s) is/are 11-17, 32-34, 48-50, 52-62, renumbered as 1-7, 18-20, 8-17, 21-24, respectively.
3. ☐ The drawings filed on \_\_\_\_\_ are acceptable.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the CERTIFIED copies of the priority documents have been
  1. ☐ received.
  2. ☐ received in Application No. (Series Code / Serial Number). \_\_\_\_\_.
  3. ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be available under the provisions of 37 CFR 1.136(a).

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. ☒ Applicant MUST submit NEW FORMAL DRAWINGS
  - (a) ☒ because the originally filed drawings were declared by applicant to be informal.
  - (b) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (c) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.
  - (d) ☐ including changes required by the attached Examiner's Amendment / Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)         |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                 |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance           |
|  | 9 <input type="checkbox"/> Other   |

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### EXAMINER'S AMENDMENT

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on December 23, 1999, Michael J. Thomas requested an extension of time for 1 MONTH(S) and authorized the Commissioner to charge Deposit Account No. 18-1829 the required fee of \$55 (small entity) for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

(I) With regard to claim 11 (line 4), after the word "gaps" the following has been inserted

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--simultaneously, said planar thin film coil being disposed in a substantially singular plane, said plane being substantially perpendicular to a head surface that faces said recording medium during recording, whereby said portion of the recording medium can be preconditioned by one of said gaps before the other of said gaps is moved across said preconditioned portion--.

(II) With regard to claim 48 (line 8), the word "immediately" has been deleted.

(III) With regard to claim 48 (line 8), the phrase "the same" has been deleted and replaced by the phrase -- and preconditioning a--.

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✓(IV) With regard to claim 48 (line 8), the *FIRST OCCURRENCE* of the word "as" has been deleted and replaced by the word --before--.

✓(V) With regard to claim 48 (line 8), the phrase "as the head" has been deleted.

✓(VI) With regard to claim 48 (line 9), the word "thereacross" has been deleted and replaced by the phrase --across said preconditioned portion--.

✓(VII) With regard to claim 48 (line 9), after the phrase "magnetic coil" the following has been inserted --being capable of--.

✓(VIII) With regard to claim 48 (line 9), after the word "gaps" the following has been inserted --simultaneously--.

✓(IX) With regard to claim 52 (line 5), after the phrase "magnetic coil for" the following has been inserted --simultaneously--.

✓(X) With regard to claim 52 (line 8), after the word "pieces" the following has been inserted --, whereby said portion of the recording medium can be preconditioned by one of said gaps before the other of said gaps is moved across said preconditioned portion--.

✓(XI) With regard to claim 59 (line 5), after the word "gaps" the following has been inserted --simultaneously--.

✓(XII) With regard to claim 59 (line 6), after the word "piece" the following has been inserted --, whereby said portion of the recording medium can be preconditioned by one of said gaps before the other of said gaps is moved across said preconditioned portion--.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (703) 305-3452. The examiner can normally be reached on M-F (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stuart S. Levy can be reached on (703) 308-1295. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9051 for regular communications and (703) 308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

William J. Klimowicz  
Primary Examiner  
Art Unit 2754

WJK  
December 23, 1999